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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ABBOTT DIABETES CARE INC. and
ABBOTT LABORATORIES,

Plaintiffs,

vs.

ROCHE DIAGNOSTICS CORPORATION
and BAYER HEALTHCARE LLC

Defendants.

CASE NO. C05-3117 MJJ

STIPULATED REQUEST FOR ORDER TO
SHORTEN TIME ON ABBOTT'S MOTIONS
FOR CONTINUANCE

AND [REDACTED] ORDER

Pursuant to Civil Local Rule 6-2, the parties jointly submit this stipulation and request for an order to shorten time for hearing of Abbott's motions filed on October 23, 2006 for continuance of Defendants' summary judgment submissions. Abbott's motions for continuance are noticed for hearing on November 28. The parties jointly request that Abbott's motions for continuance be considered on November 14 together with the Defendants' motions for summary judgment, which are presently scheduled to be heard on that date.

STIPULATION TO SHORTEN TIME AND
[REDACTED] ORDER

CASE NO. C05-3117 MJJ

1 DATED: October 27, 2006

BARNES & THORNBURG LLP

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3
4 /s/ Jonathan Froemel
Jonathan Froemel

5 ATTORNEYS FOR DEFENDANT ROCHE
6 DIAGNOSTICS CORPORATION

7 DATED: October 27, 2006

MORRISON & FOERSTER

8
9 /s/ Jason Bartlett
10 Jason R. Bartlett

11 ATTORNEYS FOR DEFENDANT BAYER
12 HEALTHCARE LLC

13 DATED: October 27, 2006

BAKER BOTTS L.L.P.

14
15 James W. Cannon, Jr.

16 ATTORNEYS FOR PLAINTIFFS ABBOTT
17 DIABETES CARE INC. AND ABBOTT
18 LABORATORIES

1 DATED: October 30, 2006

BARNES & THORNBURG LLP

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5 ATTORNEYS FOR DEFENDANT ROCHE
6 DIAGNOSTICS CORPORATION

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STIPULATION TO SHORTEN TIME AND
ORDER

[REDACTED] ORDER SHORTENING TIME

Having considered the parties stipulation set forth above and for good cause shown, the November 28, 2006 hearing on Abbott's motions for continuance of Bayer and Roche's motions for summary judgment of laches is hereby VACATED, and the motions are RESET for hearing on November 14, 2006 at 9:30 a.m.. Abbott's motion will be considered together with Bayer and Roche's noticed motions for summary judgment regarding laches. Abbott shall file any reply in support of its motion for continuance no later than October 31, 2006.

Dated: 10/31/2006

By: 
Honorable Martin J. Jenkins
UNITED STATES DISTRICT JUDGE